

Remarks/Arguments

Reconsideration of the above-identified application in view of the present amendment is respectfully requested.

In the Office Action of June 2, 2005, claims 1, 3 and 6 were rejected, claims 2, 4, 5 and 7-13 were objected to, and claims 14-26 were allowed.

Use of the trademark COOLMAX was objected to in the specification as being improperly formatted. The generic terminology, "breathable material," that needs to accompany the trademark name was added to the specification to correct this objection.

Claim 11 was objected to because language was missing after "wherein" in line 1. The language "wherein includes" in line 1 was replaced with "further including a" to appropriately correct this claim objection.

Below is a discussion of the 35 U.S.C. §102(b) rejection of claim 1 as being anticipated by Gracie, U.S. Patent No. 4,407,497.

Claim 1 has been amended to incorporate a substantially similar limitation to that of allowable claim 14. Specifically, claim 1 as amended recites a weight that is releasably attached within the pocket. It is respectfully suggested that claim 1, as amended, patentably defines over Gracie.

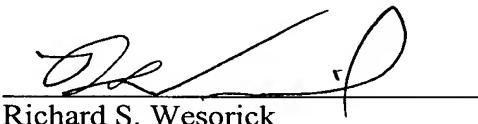
It is respectfully submitted that the patent to Gracie fails to teach or suggest a weight releasably attached within the pocket, as recited in claim 1. Rather, Gracie teaches pouch-like weight compartments 18 disposed on weight strips 12 and 14 that have a flap which may be opened or closed for the purpose of inserting and withdrawing separate weights. (Gracie, Col. 3, lines 49-53). The flap encloses the weights in the compartments, but there is no disclosure of the weights being attached within the compartments. Since Gracie fails to disclose a weight releasably attached within the pocket, it is respectfully submitted that claim 1, as amended, patentably defines over Gracie.

Claims 2-13 depend either directly or indirectly from claim 1 and are allowable for at least the reasons that claim 1 is allowable, and also for the specific features therein. Accordingly, it is respectfully submitted that claims 2-13 define over the prior art and are allowable.

In view of the foregoing, it is respectfully submitted that the above-identified application is in condition for allowance, and allowance of the above-identified application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,



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